

AMENDED IN ASSEMBLY APRIL 12, 2010

AMENDED IN ASSEMBLY MARCH 10, 2010

AMENDED IN ASSEMBLY MARCH 2, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1671

Introduced by Assembly Member Jeffries

January 20, 2010

An act to ~~repeal and add~~ *amend* Section 25060 of the Government Code, relating to county government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1671, as amended, Jeffries. County board of supervisors: vacancy: appointment.

Existing law requires the Governor to fill a vacancy on any county board of supervisors.

This bill would, ~~instead, authorize a quorum of a board of supervisors, require the Governor to fill the vacancy within 90 days from the date of the vacancy, and if the Governor fails to act within 90 days, the bill would authorize the board of supervisors to appoint an individual to fill the vacancy or to call a special election to fill the vacancy. If, within the 90-day period, the board does not appoint an individual to fill the vacancy or call a special election to fill the vacancy, this bill would require the Governor to appoint an individual to fill the vacancy within 30 days after the lapse of the 90-day period.~~ This bill would also authorize a quorum of the board of supervisors, ~~prior to the lapse of the 90-day period,~~ to vote to authorize the Governor to appoint a person to fill the vacancy within *an additional 30 days* of the board's authorizing vote, *and if the Governor fails to do so, would authorize the board to*

appoint an individual, call a special election, or leave the vacancy open, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 25060 of the Government Code is*
2 *amended to read:*

3 25060. (a) Whenever a vacancy occurs in any board of
4 supervisors, the Governor shall fill the vacancy *within 90 days*.
5 ~~The appointee shall hold office until the election and qualification~~
6 ~~of his successor.~~

7 (b) *If the Governor fails to act within 90 days pursuant to*
8 *subdivision (a), the board of supervisors shall do one of the*
9 *following:*

10 (1) *Appoint an individual to fill the vacancy within 90 days of*
11 *the last day the Governor could have appointed an individual*
12 *pursuant to subdivision (a).*

13 (2) *Call a special election to fill the vacancy.*

14 (3) *Authorize the Governor to appoint an individual to fill the*
15 *vacancy within 30 days of the board's authorizing vote.*

16 (4) *If the Governor fails to appoint an individual within 30 days*
17 *of the authorizing vote, the board of supervisors shall appoint an*
18 *individual pursuant to paragraph (1), call a special election*
19 *pursuant to paragraph (2), or vote to leave the vacancy open until*
20 *the next regular election at which a successor may be elected.*

21 (c) *Any person appointed or elected shall hold office until the*
22 *election and qualification of his or her successor pursuant to*
23 *Section 25061.*

24 ~~SECTION 1. Section 25060 of the Government Code is~~
25 ~~repealed.~~

26 ~~SEC. 2. Section 25060 is added to the Government Code, to~~
27 ~~read:~~

28 ~~25060. (a) (1) If a vacancy occurs on any board of supervisors,~~
29 ~~a quorum of the board may, within 90 days from the date of the~~
30 ~~vacancy, appoint an individual to fill the vacancy or call a special~~
31 ~~election to fill the vacancy.~~

1 ~~(2) A quorum of the board of supervisors may authorize the~~
2 ~~Governor to appoint a person to fill the vacancy before the 90-day~~
3 ~~period, as specified in paragraph (1), lapses.~~

4 ~~(3) If a board of supervisors does not act to fill a vacancy~~
5 ~~pursuant to paragraph (1), the Governor shall appoint an individual~~
6 ~~to fill the vacancy within 30 days after the 90-day period lapses.~~
7 ~~If a board of supervisors votes to authorize the Governor to appoint~~
8 ~~an individual to fill the vacancy pursuant to paragraph (2), the~~
9 ~~Governor shall appoint an individual within 30 days of the board's~~
10 ~~authorizing vote.~~

11 ~~(b) An appointee shall hold the office until the election and~~
12 ~~qualification of his or her successor pursuant to Section 25061.~~